

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

1 Mar 21, 2023  
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SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MARIE ELAINE ZIMMERMAN,

Plaintiff,

v.

BERKLEY NORTH PACIFIC,

Defendant.

NO: 1:23-CV-3013-TOR

ORDER OF DISMISSAL WITH  
PREJUDICE

BEFORE THE COURT is the parties' Stipulation of Dismissal with Prejudice. ECF No. 10. The stipulation is filed pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and provides for the dismissal of this action with prejudice and that each party will bear their own costs and attorneys' fees. The Court has reviewed the record and files herein and is fully informed.

According to Rule 41(a)(1)(A)(ii), a plaintiff may dismiss an action by filing a stipulation signed by all parties who have appeared.

1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

2 Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, this action is

3 **DISMISSED** with prejudice, each party shall bear their own costs and attorneys'  
4 fees.

5 The pending Motion to Dismiss, ECF No. 8, is DENIED as moot.

6 The District Court Executive is directed to enter this Order and Judgment  
7 accordingly, furnish copies to the parties, and **CLOSE** the file.

8 **DATED** March 21, 2023.



A handwritten signature in blue ink that reads "Thomas O. Rice".

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10 THOMAS O. RICE  
United States District Judge  
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